

# The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, June 11.—Last 24 Hours' Rainfall, .01.  
Temperature, Max. 80; Min. 72. Weather, fair.

ESTABLISHED JULY 2, 1854.

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HONOLULU, HAWAII TERRITORY, SATURDAY, JUNE 12, 1909.

PRICE FIVE CENTS.

## EVIDENCE OF CONSPIRACY SEIZED BY AUTHORITIES

Books and Papers of Strikers Now in Hands of High Sheriff—Strikers Make a Hero of Makino.

Despite the efforts on their behalf before Judge Robinson on habeas corpus proceedings, Makino, Negoro, Soga and Makura, the four strike leaders, failed to secure their release and passed their second night in jail last night. With them were the others of the arrested leaders and the working force of the Nippu Jiji, in whose behalf other habeas corpus proceedings have been instituted. The



Negoro, Secretary of the Higher Wage Association.



Editor Sheba, Whose Life is Threatened



Editor Sogo of the Nippu Jiji



Yamashiro, Treasurer of the Higher Wage Association.

hearing of the arguments before Judge Robinson took up the whole day, W. A. Kinney leading in the legal fight against the Japanese and Joseph Lightfoot invoking High Heaven and the powers of the nether regions to assist him in making the court recognize the injustice of the further detention of his clients.

Outside, a sullen mob of fifteen hundred Japanese strikers watched and waited. Police officers stationed at the main doors of the Judiciary building prevented the followers of the arrested four from crowding into the courtroom and thronging the corridors, only enough being admitted to comfortably fill the room. At ten o'clock, when the prisoners were taken to the court in the patrol wagon, a delegation of several hundred were waiting to cheer them; at noon, at two o'clock, and when the court adjourned for the day, the demonstrations grew. The mob was larger at each interval, the banzais were deeper, and when, on the adjournment of the court, the prisoners were slipped out of the makai door and the patrol wagon horses put to a gallop to get the leaders away from the mob, the banzais carried a distinct note of derision. Instead of the mob being left foolishly waiting for their leaders, they appeared to be pleased at the idea borne in upon them that the authorities had been awed at their appearance before the courthouse in force. They jeered at W. A. Kinney when he appeared from the trial room and banzaised lustily for the Higher Wage Association and Makino, when called upon.

### INCRIMINATING EVIDENCE SEIZED.

At the time of the arrest of Makino and associates, and during Thursday night, the authorities seized and took possession of the account books and papers of the Higher Wage Association and the Jiji newspaper; also the correspondence and papers in the personal possession of Makino and Negoro. Up to this writing a number of translations have been made as given below, which fully justify the arrest and seizure and show that the Higher Wage Association in its final analysis is a society for the promotion of disorder and violence.

The significance of this evidence is this: It shows that the leaders here knew that their following had got into a lawless and criminal state of mind, and there is absolutely no evidence that they attempted to check the bad blood proven by these letters to exist among the men. The letters echo the Jiji's own editorial utterances.

The authorities state emphatically that they had a case against the leaders for conspiracy before the arrests were made, and the arrest for investigation came about solely through the desire to connect these leaders with other people and with other acts outside of the original proofs in the case of the authorities on which they acted.

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## HABEAS CORPUS CASE IS ARGUED STRENUOUSLY

The attempt to secure the release of his clients on a writ of habeas corpus was resumed before Circuit Judge Robinson yesterday afternoon, but met with signal failure. The hearing was begun promptly at 1:30 o'clock and lasted until 4:15 when adjournment was taken until 9 o'clock this morning, at which time it is probable that the cases will be disposed of one way or the other.

When the five defendants, J. Soga, editor of the Nippu Jiji; Y. Tasaka, K. Kamura, M. Negoro and Fred Makino entered the Judiciary building in the custody of High Sheriff Henry and his deputies, a ringing cheer went up from the hundreds of Japanese who were grouped about the main entrance. There was also a cheer for Lightfoot.

When court convened Attorneys Ballou, Prosser, Anderson and Attorney General Hemenway were present, Mr. Kinney arriving later.

Lightfoot immediately asked the court that he be permitted to make a request which he characterized as "a novel one, made necessary by the novel proceedings of which my clients have been the victims." He then stated that during the early morning hours Makino's store was entered and the safe removed, and that later his room was forced and a quantity of papers taken away in a pillow slip. Lightfoot asserted that Soga had been taken into custody and escorted to the Nippu Jiji offices and there told to open the safe, which Lightfoot said was done because of the threat that the safe would be broken open unless the demands were acceded to.

### Order Is Refused.

He then asked for an order directing that Makino's safe be not opened until Makino was present, and instructing the return of the papers and seal of the Nippu Jiji Company, Ltd., which were obtained according to Lightfoot, "by force of arms and contrary to law."

Judge Robinson replied that he had no authority to make such an order, and that it was entirely outside of his jurisdiction in the case. Lightfoot replied "that in civilized countries such proceedings are not common," and insisted that his clients had a "constitutional right of protection."

Attorney Anderson resumed his argument on the contention that the hearing on the petition for the writ of habeas corpus could not be properly held on a legal holiday, making the point that while the issuance of the writ was a ministerial act, the hearing was entirely of a judicial nature. He cited a number of authorities bearing on the question and was followed by Lightfoot who insisted that a return upon a writ of habeas corpus can be made upon any day. He declared that no difference was intended by the law in dealing with holidays and Sundays, and that the contention raised by Anderson was simply designed to befog the issue.

Judge Robinson looked over the section of the Revised Laws of the Territory bearing upon the point, and without hesitation denied the motion for a continuance on the holiday ground.

### Points Out Flaws.

The motion to quash the writ on a number of grounds was next taken up, Makino and Negoro taking their places with Lightfoot at the counsel's table, and Ballou proceeded to pick flaws in the technical construction of the petition for the writ as presented by Lightfoot.

Judge Ballou declared that the petition did not set forth the place of imprisonment of the petitioners, and that it simply embodied a collection of conclusions of law, the ex-parte statements of Lightfoot. He contended that the allegation that Lightfoot's clients were not incarcerated under a valid law of the Territory did not constitute any grounds for their release and simply raised a point of law.

Lightfoot defended the sufficiency of his petition, and stated that the objections raised by Ballou were trifling and did not affect the broad issues of the case, which were, in effect, "that the five men had been taken into custody without due process of law and that as far as the court was concerned no reason had been advanced for their detention."

### Refers to Conversation.

Lightfoot next referred to a conversation that he had with Mr. Kinney at the Nippu Jiji office Thursday evening. He said that he responded to a tele-

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## AUTOMOBILES COME TO GRIEF

Several People Badly Hurt, but None Killed.

Five men and women were pinned underneath Jim Quinn's big automobile on the makai side of the Hackfeld wharf at 10:30 o'clock last night, where the machine had vaulted off. But for the prompt and energetic assistance of a score of Hawaiian stevedores two women of the party might have been burned, as the car was soon destroyed by flames. Mrs. Greene, wife of a famous Chautauqua lecturer, was badly hurt on the head, shoulder and arms, necessitating her removal to the Queen's Hospital. Her head is badly lacerated. Mrs. Gibson, who was also pinned under the car, is bruised.

The machine caught fire just as the second woman was pulled from underneath. The fire department was telephoned to, and a request sent in for the chemical, but the entire department responded. By the time the engines reached the wharf the auto was in ruins.

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## DESTITUTE SPANIARDS FROM THIS TERRITORY

Call, June 4.—Starving in a dark and dirty room where they slept huddled together on practically a bare floor sixteen Spanish children and three women, who with twenty-two other Spanish families arrived in this city from Honolulu on the liner Alameda several days ago, were found yesterday at 3 Montgomery place by Harry K. Bogart, business manager of the Associated Charities.

Several of the children and one of the women were taken to the central emergency hospital. Dr. Keys who attended the children, fears that one of them, a lad of seven, is suffering from smallpox.

Bogart said yesterday that the constant inflow of destitute Spanish families from Honolulu within the last six months had swamped the resources of the Associated Charities and that he would therefore place the matter before the supervisors.

Immigration Commissioner Hart North said that the government authorities could not bar from the United States aliens who had been on American soil for three years.

"These people have crowded into the Latin quarter in great numbers," said Bogart, "and practically all of them are destitute and living in squalor. The twenty-five families which arrived on the Alameda are living in a few rooms in Montgomery place and Alta place. The men are out of work, can not speak English and they are without funds."

One of the women gave birth to a child yesterday morning. Her bed was a thin blanket spread upon the floor.

## TWENTY SACKS OF SILVER IN TOWN

Twenty thousand dollars in shiny, new, silver coins arrived in the strong box of the Alameda yesterday. Today this money will go into the banks and the silver famine will be ended; plantation gold can be exchanged for silver and the envelopes for the strikebreakers can still be filled. In charge of Purser Smith, of the Alameda, the twenty sacks of silver were brought to Honolulu from the Coast, each sack containing one thousand dollars in cartwheels, half dollars and two-bit pieces.

## EARTHQUAKES SHAKE WARSHIPS FROM MOORINGS

Southern France Visited by Two Violent Seismic Shocks---Toulon In Center of Disturbance ---Village Houses Collapse.

(Associated Press Cablegrams.)

MARSEILLES, June 12.—Two violent earthquakes have occurred in Southern France. Warships were shaken loose from their moorings in the harbor of Toulon. Houses collapsed at Lambessa and eight people were killed. Troops were rushed to the scene.

## VENEZUELAN RESENT AMERICAN WARSHIPS

CARACAS, June 12.—The arrival of United States warships at La Guayra at the request of Senor Paul, special envoy to Europe, caused an uproar in Congress. Heated speeches were made and the affair resulted in Paul's recall.

## WU TING FANG AT PANAMA

PANAMA, June 12.—Wu Ting Fang has arrived here en route to Peru. He will inspect the canal before leaving.

## FREAR AND CIVICS IMPROVE WOODRUFF'S CHANCE TO WIN

(Special Cablegram to the Advertiser.)

WASHINGTON, June 11.—Strong cablegrams from Governor Frear and the Civic Federation have greatly improved Mr. Woodruff's chances of getting the second Federal judgeship in Hawaii.

## WEEDING OUT THE ROOSEVELT APPOINTEES AT WASHINGTON

Signs of a Distinctively Taft Administration---The Disappearance of Former Favorites Is Very Pleasing to Senate and House.

By Ernest G. Walker.

(Mail Special to the Advertiser.)

WASHINGTON, May 31.—The distinct Rooseveltians in office are rapidly dispersing to private life. There is panic among them accordingly. They are seeing the handwriting on the wall at least. And yet, such a change is nothing more than was reasonably to be expected. President Roosevelt gradually eliminated the distinguished McKinleyites.

As a matter of fact there is little difference in the practices of Presidents about putting men of their own type and following into office. While a President is the leader of his party, he stands forth almost invariably as the representative of some particular faction of that party. He wants men of his own faith at the helm. A Democratic President puts in Democrats, a Republican President, Republicans. But the change in tenure is almost as certain when a Republican President succeeds a Republican President.

Roosevelt was not abrupt in displacing the McKinleyites. Of course he came in as President for the term for which McKinley had been elected and did not feel like asserting himself about appointments, as does one who had been elected in his own right. Taft came in in his own right and therefore has been at liberty to make his own selections. He has not hastened about displacing Rooseveltians but he has proceeded so steadily and unerringly that incumbents are no longer cherishing illusions about what is in store for them.

Natural as such a development is, it is significant of Taft's intention to be President himself. A President must have a large body of loyal men through-

out the country. Some choose to call it a machine. Roosevelt had his and, after the old Hanna-McKinley appointees had been eliminated, a most loyal machine it was. Roosevelt knew how to build up an organization and how to maintain it.

President Taft started upon a distinctive policy in the choice of his cabinet. Only two of the men, who have ever sat with him in the Roosevelt cabinets, are around his own council table. One of them is Secretary of Agriculture Wilson, who came over from the McKinley administrations. The other is Secretary of the Navy Meyer, who has been placed in the most difficult of cabinet positions and is believed in Washington to be making good. Ex-Postmaster General R. J. Wynne, distinctly identified with the Roosevelt administrations, was dropped out the other day as Consul General at London. Assistant Secretaries in the Departments have been gradually displaced and the axe is hanging over the heads of others. This is not necessarily a reflection upon the retiring officials. Most of them have been fairly efficient. A few have not been. But there were other men, more closely identified with the Taft campaigns for nomination and election. True, President Roosevelt was the great foreman in that campaign and his lieutenants were on the watchtowers for Taft. But the new President had his own workers in nearly every state. Recognition of them has been coming slowly, but none the less surely. The original Taft men are coming into their own. Before Theodore Roosevelt returns to America, the administration organization will be manned by officials whose first political allegiance has been and is to Taft, not to Roosevelt.

A great stride in that direction has been effected by the resignation of the Director of the Census, Mr. S. N. D. North. It apparently was not sought for political purposes, as far as the President is concerned. But it was cordially welcomed politically by some of the President's lieutenants. They will

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